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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,305	04/04/2005	Janardhana Bhat	SG 020025	9926

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EXAMINER

YENKE, BRIAN P

ART UNIT	PAPER NUMBER
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2622

MAIL DATE	DELIVERY MODE
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06/23/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/530,305	Applicant(s) BHAT ET AL.	
	Examiner BRIAN P. YENKE	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Telecon (16 Jun 09).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) all is/are rejected.
- 7) ☒ Claim(s) 2-6 and 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The finality of the previous office has been vacated in view of applicant's remarks/telecon with the examiner. However, based upon the pending claims and further review/search, the examiner is providing a new non-final rejection below. Any inconvenience caused to the applicant is regretted.

Response to Arguments

2. Applicant's arguments with respect to claims (submitted After Final (06/12/09) have been considered but are moot in view of the new ground(s) of rejection. In addition based upon telecom on 06/16/09 with applicant's representative Mr Goodman, the following rejection is presented.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 7 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tults, US 5,157,492 in view of Isobe, US 4,146,843 in view Tults, US 4,405,947.

In considering claims 1, 7 and 9-,

a) the claimed a tuner...is met by tuner 101 (Fig 1)

b) the claimed a controller...is met by microcomputer 117 (Fig 1)

c) the claimed a stage for receiving tuned signals...is met by AFT (detector 109, 127), video detector 105/Sync Separator 111 which receive tuning signals (signals from the tuner). The stage being

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the components not included in the tuner or microcomputer. PLL 115 along with AFT circuitry (127/109) and Sync separator 111 provide input into the controller (microcomputer 117). It is noted that the PLL 115 is connected to the controller (microcomputer 117) via input/output terminals 121 and 119 (Fig 1), wherein AFT comparators 127 provides the indication of a carrier signal to controller 117, in addition a sync separator 111 provides the validation whether a horizontal sync has been detected, to affirm a picture carrier not sound carrier has been detected. The control signals (both AFT and Sync 111) originate from the PLL in order to lock onto to the appropriate frequency/phase.

Based upon applicant's remarks that the PLL 115 receives the LO signal and not tuned signals. The examiner evidences the practice of including a PLL with the tuner (i.e. tuner 101 and PLL 115) in addition to including a 2nd PLL which receives tuned signals as evidenced by Isobe, US 4,146,843 which discloses a 2nd PLL for detecting the converted IF frequency carrier signal (col 7, line 13-26).

The motivation for modifying Tults with Isobe, provides Tults the ability to use conventional circuitry (2nd PLL) to provide video synchronization as taught by Isobe by using such 2nd PLL.

Regarding the automatic fine tuning signal (AFT) and the 2nd PLL generating a lock signal more quickly available than the AFT signal, wherein said lock signal provides an indication whether a channel at a tuned frequency is active or not. The concept of a PLL providing a quicker indication of a tuning parameter than an AFT circuit is conventional in the art as evidenced by Tults, US 4,405,947. '947 discloses a dual search mode tuning system, wherein a signal from the PLL loop is the first response to channel available information and then implementing the AFT operation (col 1, line 39-42, col 2, line 53-67, col 4, line 32-59). Thus when a new channel is selected a first search is carried out by the PLL operation and when the PLL operation is complete (channel is active) the PLL generates a lock pulse, wherein the PLL is first prior to the AFT stage, meeting the "more quickly available than the automatic fine tuning signal" as claimed. It is noted that the '947 patent pertains to tuning paramets and not a tuned signal, but the features of a PLL being quicker than a fine tuning method (i.e. AFT) are the basis for the reliance upon '947.

Thus the combination would provide a tuner system wherein a 2nd PLL and a AFT circuit would both received a "tuned" signal and wherein the 2nd PLL would be used to confirm the presence of a

channel/signal prior to the AFT circuit.

In considering considering claim 10,

The combination of hardware/software (i.e. the claimed computer-readable medium) are conventional implementations in the field of endeavor, for the obvious advantage of being able to update/modify instructions through the use of such medium.

Conclusion

Allowable Subject Matter

4. Claims 2-6 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Yenke whose telephone number is (571)272-7359. The examiner work schedule is Monday-Thursday, 0730-1830 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Dave L. Ometz, can be reached at (571)272-7593.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(571)-273-8300

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703)305-HELP.

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(TDD) 703-305-7785

An automated message system is available 7 days a week, 24 hours a day providing informational responses to frequently asked questions and the ability to order certain documents. Customer service representatives are available to answer questions, send materials or connect customers with other offices of the USPTO from 8:30 a.m. - 8:00p.m. EST/EDT, Monday-Friday excluding federal holidays.

For other technical patent information needs, the Patent Assistance Center can be reached through customer service representatives at the above numbers, Monday through Friday (except federal holidays) from 8:30 a.m. to 5:00 p.m. EST/EDT.

The Patent Electronic Business Center (EBC) allows USPTO customers to retrieve data, check the status of pending actions, and submit information and applications. The tools currently available in the Patent EBC are Patent Application Information

Retrieval (PAIR) and the Electronic Filing System (EFS).

PAIR (<http://pair.uspto.gov>) provides customers direct secure access to their own patent application status information, as well as to general patent information publicly available. EFS allows customers to electronically file patent application documents securely via the Internet. EFS is a system for submitting new utility patent applications and pre-grant publication submissions in electronic publication-ready form. EFS includes software to help customers prepare submissions in extensible Markup Language (XML) format and to assemble the various parts of the application as an electronic

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submission package. EFS also allows the submission of Computer Readable Format (CRF) sequence listings for pending biotechnology patent applications, which were filed in paper form.

/BRIAN P. YENKE/
Primary Examiner, Art Unit 2622

B.P.Y.
16 June 2009